



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2021

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CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD)No.14433 of 2021

Gopalakrishnan

... Petitioner/Sole Accused

Vs.

1.The Sub Inspector of Police,
Pazhugal Police Station,
Kanyakumari District.

... 1st Respondent/Complainant

2.T.Shaji

... 2nd Respondent/ Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judicial Magistrate No.I, Kuzhithurai to expedite the proceedings in R.C.No.32 of 2019 in Crime No.115 of 2019 and to dispose the same within the time stipulated by this Court.

For Petitioner : Mr.M.R.Sreenivasan

For R1 : Mr.K.Sanjai Gandhi

Government Advocate (Crl.side)

ORDER

This petition has been filed seeking direction to the Judicial Magistrate No.I, Kuzhithurai, to expedite the proceedings in R.C.No.32 of 2019 in Crime No.115 of 2019 and to dispose the same within a time stipulated by this Court.

2.The petitioner herein is the sole accused in Crime No.115 of 2019, which was registered for the offences punishable under Sections 294(b), 323 and 506(i) I.P.C.

3. It appears that after investigation, the complaint has been closed as 'mistake of fact' and a report was also filed before the learned Judicial Magistrate No.I, Kuzhithurai, on 14.10.2019. Thereafter, the petitioner filed a protest petition in R.C.No.32 of 2019, on 02.01.2020. After that, it is kept pending and the matter has been adjourned repeatedly. The grievance of the petitioner is that the petitioner is working as S.S.I of police, Arumanai Police



Station, Kanyakumari District and he is about to retire and his pension papers have been submitted to the competent authority, before six months of his tenure, but, because of the pendency of the above said proceedings, the pension has not been processed and he is not in a position to send the papers.

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4.Considering the superannuation period of the petitioner, since he experiences some trouble, because of the pendency of the proceedings, there shall be a direction to the Judicial Magistrate No.I, Kuzhithurai, to expedite the proceeding in R.C.No.32 of 2019 and to complete the same within a period of one month from the date of receipt of copy of this order.

5.With the aforesaid direction, this Criminal Original Petition is disposed of

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Judicial Magistrate No.I,
Kuzhithurai.
- 2.The Sub Inspector of Police,
Pazhugal Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-30544[F] dated 28/09/2021)

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_RD(6.10.2021) 2P 5C